UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:22-cy-00339-KDB-DCK

TORECIA COLE,)	
Plaintiff,)	
vs.))	<u>ORDER</u>
ALLIED UNIVERSAL,)	
Defendant.))	

THIS MATTER is before the Court on review of the docket in this matter.

Pro se Plaintiff Torecia Cole ("Plaintiff") filed this action on July 28, 2022, against Defendants Allied Universal and the State of North Carolina pursuant to 42 U.S.C. § 1983. [Doc. 1]. Plaintiff is proceeding in forma pauperis. [Docs. 2, 3]. The Court conducted initial review of Plaintiff's Complaint pursuant to 28 U.S.C. § 1915(e)(2). [Doc. 3]. The Court found that Plaintiff failed to state a claim upon which relief can be granted and allowed Plaintiff 21 days from August 5, 2022, to amend her Complaint in accordance with the terms of the Court's Order. [Id.]. The Court also dismissed Defendant State of North Carolina based on immunity under the Eleventh Amendment. [Id. at 4-5]. The Court advised Plaintiff that if she failed to timely file an amended Complaint, this action would be dismissed without prejudice and without further notice to Plaintiff. [Id. at 5].

More than 21 days have passed, and Plaintiff has not filed an amended complaint. The Court will, therefore, dismiss this action without prejudice for Plaintiff's failure to prosecute.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Complaint [Doc. 1] is dismissed without prejudice.

The Clerk is instructed to terminate this action.

Signed: August 30, 2022

Kenneth D. Bell

United States District Judge